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**Filed** : **30-Jun-2006**

## **REMARKS**

In the Office Action, Claims 14-24, 37-44, 47 and 49-58 were rejected over the prior art as discussed below. In this Amendment, Claims 14 and 53 have been amended, No claims have been added or canceled. Accordingly, Claims 14-24, 37-44, 47, and 49-58 remain pending for further consideration.

### Personal Interview

Applicant thanks Examiners Dornbusch and Ho for the courteous and helpful personal interview conducted on February 23, 2010 (summarized above).

### Rejections Under 35 U.S.C. § 102

Claims 14-18, 23, 43, 44, and 52-58 were rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2002/0151959 to Von Oepen (Von Oepen).

Applicant disagrees with this rejection, but has made certain amendments to further distinguish the prior art and to expedite allowance. As discussed in the Interview, summarized above, in certain embodiments of this application a prosthesis is provided with a transition portion located between a radially expandable support and a proximal portion of elongate fronds. The transition portion is of a different wall pattern than that of the support. The wall pattern is adapted to extend proximally of the support in an ostium of a bifurcation and to provide scaffolding for the ostium. In contrast, von Oepen describes a main vessel stent that in one portion has larger openings to permit the passage of another stent. However, von Oepen lacks a transition portion between the larger opening section and the wall pattern defining the portion of the main vessel stent having smaller openings.

Amended Claims 14 and 53 are distinct from the teachings of von Oepen. For example, Claim 14 recites a prosthesis for placement at an opening from a main body lumen to a branch body lumen, the prosthesis comprising:

a radially expandable support comprising a first wall pattern, the support configured to be deployed in at least a portion of the branch body lumen, the support adapted to provide a first radial force to support a body lumen;

at least two elongate, flexible fronds extending from an end of the support, each frond having a first end, a second end, and an axially elongate portion having a plurality of crests and troughs between the first and second ends, the axially elongate portion comprising first and second spaced apart filaments each having first and second ends, the first end of the first filament being directly connected to a first proximal apex of the radially expandable support, the first end of the

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second filament being directly connected to a second proximal apex of the radially expandible support, the first proximal apex being spaced apart from the second proximal apex, the second end of the second filament being coupled with the first filament at a location between the first and second ends of the frond, ***the fronds having a transition portion comprising a second wall pattern different from the first wall pattern, the transition portion of the frond extending from an end of the support and configured to be positioned across the opening and into the main body lumen;***

at least one circumferential link connected to the second ends of the fronds, the circumferential link spaced axially apart from the support by the fronds and adapted to provide a second radial force that is less than the first radial force; and

***a plurality of elongate side wall openings located proximal of the transition portion in between adjacent fronds sized and configured to receive a stent deployment device therethrough, the side wall openings forming a portion of a third wall pattern different from the second wall pattern;***

the elongate flexible fronds, the support and the circumferential link defining a unitary body as deployed, the elongate side wall openings in between adjacent fronds for facilitating crossing of a main vessel stent therethrough when the support is positioned in the branch body lumen and the circumferential link is positioned in the main body lumen

Claim 14 is novel over and not obvious in view of von Oepen as discussed above. Applicants request allowance of Claim 14 and Claims 15-18, 23, 43, 44, and 52 which depend from Claim 14.

Also, amended Claim 53 state a prosthesis for placement at an opening from a main body lumen to a branch body lumen, the prosthesis comprising:

a radially expandible support, the support configured to be deployed in at least a portion of the branch body lumen;

at least two elongate, flexible fronds extending from an end of the support, each frond having ***a transition zone adapted to traverse from a branch vessel side of an ostium into a main vessel side of the ostium, the transition zone having a distal end directly connected to a plurality of spaced apart apices of the branch vessel support and a proximal end opposite the distal end,*** the fronds further having an elongate portion extending proximally from the proximal end of the transition zone between the first and second ends; and

a circumferential link connected to the second ends of the fronds, the circumferential link spaced axially apart from the support by the fronds;

wherein the second end of each of the fronds is directly connected to the circumferential link at a single location; and

wherein the transition zone provides a greater degree of scaffolding than the portion of the fronds extending proximally therefrom.

Claim 53 is not anticipated nor rendered obvious by von Oepen, as discussed in the interview. Applicant requests allowance of Claim 53 and of Claims 54-58, which depend from Claim 53.

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Rejections Under 35 U.S.C. § 103

Additional rejections based upon a combination of von Oepen and various references were set forth in the Office Action. In particular:

- Claim 19 was rejected under 35 U.S.C. § 103(a) as being obvious over Von Oepen in view of U.S. Patent No. 5,342,387 to Summers et al. (Summers);
- Claim 20 was rejected under 35 U.S.C. § 103(a) as being obvious over Von Oepen;
- Claims 21, 22, 37-41, 47, and 49 were rejected under 35 U.S.C. § 103(a) as being obvious over Von Oepen in view of US Publication No. 2002/0183763 to Callol et al. (Callol);
- Claim 24 was rejected under 35 U.S.C. § 103(a) as being obvious over Von Oepen in view of U.S. Patent No. 5,755,781 to Jayaraman (Jayaraman); and
- Claims 42, 50, and 51 were rejected under 35 U.S.C. § 103(a) as being obvious over Von Oepen in view of Callol and further in view of U.S. Publication No. 2004/0106985 to Jang (Jang).

These bases for rejection would not affect the analysis of Claims 14 and 53 in view of von Oepen were they applied to these independent claims. Therefore, because these claims contain the limitations of allowable Claims 14 or 53 and additional limitations, these claims are allowable for at least the same reasons set forth above. Therefore, Applicant requests allowance of Claims 20-22, 24, 37-42, 27, and 49-51.

Co-Pending Applications of Assignee

Applicant wishes to draw to the Examiner's attention to the following co-pending applications of the present application's assignee.

Serial Number	Docket No.	Title	Filed
11/076,448	<b>ANVIL.001CP1</b>	VASCULAR BIFURCATION PROSTHESIS WITH MULTIPLE THIN FRONDS	09-Mar-2005
11/190,514	<b>ANVIL.001CP2</b>	METHOD OF TREATING A LUMENAL BIFURCATION	27-Jul-2005
11/249,138	<b>ANVIL.001CP3</b>	METHOD OF TREATING A LUMENAL BIFURCATION	12-Oct-2005
11/603,338	<b>ANVIL.001CP4</b>	HELICAL OSTIUM SUPPORT FOR TREATING VASCULAR BIFURCATIONS	21-Nov-2006
11/744,796	<b>ANVIL.1BNPC1</b>	PROSTHESIS AND DEPLOYMENT CATHETER FOR TREATING VASCULAR BIFURCATIONS	04-May-2007
11/744,812	<b>ANVIL.1BNPC2</b>	PROSTHESIS FOR TREATING VASCULAR BIFURCATIONS	04-May-2007
11/744,802	<b>ANVIL.1BNPC3</b>	KIT FOR TREATING VASCULAR BIFURCATIONS	04-May-2007

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<b>Serial Number</b>	<b>Docket No.</b>	<b>Title</b>	<b>Filed</b>
10/965,230	<b>ANVIL.003A</b>	DELIVERY SYSTEM FOR PLACEMENT OF PROSTHESIS AT LUMINAL OS	13-Oct-2004
11/781,201	<b>ANVIL.003DV1</b>	PROSTHESIS FOR PLACEMENT AT A LUMINAL OS	20-Jul-2007
11/781,164	<b>ANVIL.003DV2</b>	SYSTEM FOR DELIVERING A PROSTHESIS TO A LUMINAL OS	20-Jul-2007
12/362,300	<b>ANVIL.1CP2DV1</b>	VASCULAR BIFURCATION PROSTHESIS WITH MULTIPLE LINKED THIN FRONDS	29-Jan-2009
12/362,342	<b>ANVIL.1CP3DV1</b>	STEPPED BALLOON CATHETER FOR TREATING VASCULAR BIFURCATIONS	29-Jan-2009
12/553,933	<b>ANVIL.1CP4DV1</b>	HELICAL OSTIUM SUPPORT FOR TREATING VASCULAR BIFURCATIONS	03-Sep-2009
61/222,744	<b>ANVIL.029PR</b>	OSTIUM SUPPORT FOR TREATING VASCULAR BIFURCATIONS	02-Jul-2009
61/243,433	<b>ANVIL.029PR2</b>	OSTIUM SUPPORT FOR TREATING VASCULAR BIFURCATIONS	17-Sep-2009

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

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### **CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, issuance of a Notice of Allowance is most earnestly solicited.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Any arguments in support of patentability and based on a portion of a claim should not be taken as founding patentability solely on the portion in question; rather, it is the combination of features or acts recited in a claim which distinguishes it over the prior art.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Andrew M. Douglas at (949) 721-7623 to resolve such issue(s) promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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